

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

UNITED STATES OF AMERICA, )  
 ) 2:02-CR-00674-PMP-LRL  
Plaintiff, )  
 )  
v. )  
 )  
CHAO FAN XU, et al., ) ORDER  
 )  
Defendants. )  
 )

Before the Court for consideration is the Report and Recommendation (Doc. #405) entered January 24, 2008, by the Honorable Lawrence R. Leavitt, United States Magistrate Judge, recommending denial of Defendant Wan Fang Kuang's Motion to Dismiss Second Superseding Indictment Counts Barred by Statute U.S.C. Title 18 Chapter 213 (Doc. #314) filed October 25, 2007.

The Court has conducted a de novo review of the record in this case in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Rule IB 3-2 and determines that Magistrate Judge Leavitt's Report of Findings and Recommendation (Doc. #405) should be Affirmed.

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1           **IT IS THEREFORE ORDERED** that Magistrate Judge Lawrence R. Leavitt's,  
2 Report and Recommendation (Doc. #405) entered January 24, 2008, is hereby AFFIRMED.

3           **IT IS FURTHER ORDERED** that Defendant Wan Fang Kuang's Motion to  
4 Dismiss Second Superseding Indictment Counts Barred by Statute U.S.C. Title 18 Chapter  
5 213 (Doc. #314) is DENIED.

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7 DATED: April 10, 2008.

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10 PHILIP M. PRO  
United States District Judge